

**TO CLEAR THE NOTES, PLEASE FILE
ALL DOCUMENTS WITH THE CLERK'S
OFFICE BY THE END OF Friday,
November 5 2004. SECOND CHECK
WILL BE POSTED ON Tuesday,
November 8 2004. NO DOCUMENTS
WILL BE REVIEWED BEFORE THE
HEARING AFTER SECOND CHECK**

Superior Court of Calif, County of San Bernardino

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San Bernardino Superior Court

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE RETIRED JUDGE FRANK GAFKOWSKI **PROBATE**

DATE: 11/12/04 TIME: 8:30 DEPT: S5

CASE #: SPRSS03009
CASE NAME: IN THE ESTATE OF ELSIE WILKS

HEARING:

Report Sale and Petition for Order Confirming Sale of Real
Property.

COUNSEL:

ELSIE M WILKS (DEC)...
HOWARD L WILKS (PET)...ELISABETH KEMPE-OLINGER

GENERAL INFORMATION:

This case is set for hearing on Petition to Confirm Sale

Address Vacant Land, Wildomar, County of Riverside

Appraised value Need re-appraisal for sale within 1 year. Last one was filed 2-7-01 and value was reported as 2.6 million. Claiming now that value is 2.4 million

Sale price \$2.4 million. Cannot verify whether this price is valid without I & A. Another issue is term of sale re: prepayment penalty. If there is a dwelling on the property, this might be an illegal term. Court to inquire as to property.

First overbid \$2,520,500

Deposit \$240,000 OK

Commission 3% or \$72,000 OK

Additional bond Will need bond. Requesting to be put in blocked account at BofA, but this might be a breach of fiduciary duty due to the FDIC limits for insured accounts to \$100,000. Court would need to have proof of multiple blocked accounts, which might pose problems for court and the beneficiaries.

Reason for sale debts

Exposure to market MLS

Notice Need to file.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 8:30 DEPT: S5

CASE #: SPRSS04117

CASE NAME: ESTATE OF JEAN E. BROWN ET AL

HEARING:

Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

CATHY BROWN	(PET)...PRO/PER
JEAN E. BROWN	(DEC)...
FRANKLIN G BROWN	(PET)...PRO/PER
ANGELYN L VANNATTA	(OBJ)...KELLER & KELLER
PHILIP M SAVAGE IV	(GRESHAM SAVAGE NOLAN & TILDEN)...GRESHAM

S

GENERAL INFORMATION:

This case is set for hearing on Petition for Letters of Administration, full authority Court previously granted Cathy Brown powers as Special Administrator in 2001. She was discharged (following accounting) in 2002. The parties reached an agreement on competing petition for general powers.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED:

1. Need to file proof of due publication.
2. Need to file waivers of bond or order bond of \$50,000.

RECOMMENDATION:

RFA subject to 1 & bond of \$50,000. Once approved, set hearing for filing of the Inventory & Appraisal for 6-10-5. Set the hearing for the accounting and/or status review for 1-20-06. Accountings to be filed 30 days in advance. Note local rules regarding the filing of bank statements.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 8:30 DEPT: S5

CASE #: SPRSS04823

CASE NAME: EST OF AMPARO RAMIREZ

HEARING:

SECOND AND FINAL Account and Report of JORGE H RAMIREZ and
Petition for allowance of fees filed.

COUNSEL:

JORGE H RAMIREZ	(PET)...	WILSON,BORROR, DUNN & DAVIS
AMPARO RAMIREZ	(DEC)...	
SUSIE SALAS	(TP)...	JOHN M RAGER

GENERAL INFORMATION:

This case is set for hearing on 2nd & Final Account

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED:

1. Petitioner relinquishes prior claim that the real property was partly "community" and will abide by intestate succession.
2. Petitioner seeking statutory commission of \$9120. OK Also seeking reimbursement of costs of \$800. OK
3. Attorney seeking statutory fee of \$9120. OK. Also seeking reimbursement of costs of \$495.33. OK
4. Petitioner wants approval of payment of \$4200 to Rudolfo Ramirez for painting, remodeling & improvements to property. Claims that because of these improvements, that is why the sale was so much higher than original appraised value. (This contention does not take into account the Southern California real estate market.) OK absent objection.
5. Requesting reserve of \$35,000 for potential income tax liability due to the gain on the sale of the house. OK absent objection.

RECOMMENDATION:

RFA absent objection. Once approved, set hearing for filing of receipts and final discharge for 11-8-05.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 8:30 DEPT: S5

CASE #: SPRSS05168

CASE NAME: ESTATE OF JAMES GORDON

HEARING:

FIRST AND FINAL Account and Report of GENNETT BARFIELD and
Petition for allowance of fees filed.

COUNSEL:

GENNETT BARFIELD (PET)...RALPH K HEKMAN
JAMES GORDON (DEC)...

GENERAL INFORMATION:

This case is set for hearing on 1st & Final Account

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Need notice of hearing and proof of service
2. Petitioner is waiving her statutory commission
3. Attorney requests statutory fees of \$4,300. There are no cash assets in the estate and attorney requests an order to lien the real property at 1309 Calhoun Street, Redlands, CA. Is sole beneficiary in agreement? File Consent of beneficiary.
4. All heirs of the estate have Assigned their interest in the real property to Christine Roberts, daughter of decedent.
5. No Order submitted

RECOMMENDATION:

RFA subject to 3. Once approved, set hearing for filing of receipts and final discharge for 11/18/05.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 8:30 DEPT: S5

CASE #: SPRSS05348

CASE NAME: ESTATE OF MATTHEW HUDDLESTON

HEARING:

FIRST AND FINAL Account and Report of LINDA HUDDLESTON and
Petition for allowance of fees filed.

COUNSEL:

LINDA HUDDLESTON (PET)...ELISABETH KEMPE-OLINGER
MATTHEW HUDDLESTON (DEC)...

GENERAL INFORMATION:

This case is set for hearing on 1st & Final Account

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Need to file Notice of Hearing and proof of service
2. Petitioner requests statutory commission of \$3703.24. OK
3. Attorney requests statutory fees of \$3703.24. OK
4. Attorney requests extraordinary fees of \$1000.00 for services rendered related to obtaining special administration. Bill at \$200/hour for 5.0 hours. Itemized. JTD
5. Petitioner and her son (who is 9 months) are the heirs to decedent's ½ interest in the real property at 12213 11th St., Yucaipa, CA (the only asset in the estate). Petitioner requests authority to purchase the minor's ¼ interest in the real property for the net sum of \$11,974.42, calculated as follows:
 - \$76,500.00 (90% of the appraised value, \$85,000)
 - (47,335.08) (1/2 of the encumbrance of the residence)
 - (8,897.27) (reimbursement to petitioner for funeral, repairs to house, extraordinary attorneys fees/costs)
 - (4,590.00) (potential real estate broker fees if property sold)
 - (3,703.24) (statutory commission)
 - \$11,974.42 Net proceeds

6. Petitioner should come up with a more reasonable request of reimbursement and net sum for minor's share or Court can order sale of house (e.g., Why is minor being charged 100% of the reimbursement of costs? Wouldn't improvements to house increase value?). File verified supplement.

RECOMMENDATION:

Need to clear notes

San Bernardino Superior Court
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PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 8:30 DEPT: S5

CASE #: SPRSS05414

CASE NAME: ESTATE OF JACK GOLDSTEIN

HEARING:

Waiver of account and for final distribution.

COUNSEL:

REBECCA DONELSON (PET)...PAUL, HASTINGS, JANOFSKY & WAL
JACK GOLDSTEIN (DEC)...

GENERAL INFORMATION:

This case is set for hearing on Waiver of Account and for Final Distribution

**Continued from 10/15/04 at request of counsel to clear prior calendar notes (below).
Nothing new filed.**

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Cannot proceed without the I & A being filed.
2. Sole beneficiary waives accounting.
3. Waiting to calculate statutory compensation until the I & A is received.
4. Petitioner waives statutory commission.
5. Attorneys waive their statutory fees.

RECOMMENDATION:

RFA subject to 1. Once approved, set hearing for filing of receipts and final discharge for
11/18/05

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 8:30 DEPT: S5

CASE #: SPRSS05515

CASE NAME: ESTATE OF M CHRISTINE ELLIS

HEARING:

FIRST AND FINAL Account and Report of DANNY DENNIS and Petition
for allowance of fees filed.

COUNSEL:

DANNY DENNIS	(PET)...	HARTNELL HORSPOOL & FOX
M CHRISTINE ELLIS	(DEC)...	

GENERAL INFORMATION:

This case is set for hearing on 1st & Final Account

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Petitioner requests statutory commission of \$6994.02. Ok.
2. Attorney requests statutory fees of \$6994.02. Ok.
3. Attorney requests extraordinary fees of \$60.00 in prayer of petition and itemized re: death certificates needed for surviving joint tenants of decedent's savings bonds, but not set forth in body of petition. File verified Supplement.
4. Petitioner's proposed distribution to the four general pecuniary devisees do not include interest from one year from date of death (PC 12003). Need to file verified Supplement to cover interest to four devisees from July 2, 2003.
5. Petitioner requests reserve of \$2,000. Ok.

RECOMMENDATION:

RFA subject to 3-4. Once approved, set hearing for filing of receipts and final discharge for 11/18/05. Order returned to counsel to correct distribution amounts to general pecuniary devisees.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 8:30 DEPT: S5

CASE #: SPRSS05581

CASE NAME: ESTATE OF HECTOR GARCIA

HEARING:

Ex parte hearing re: PET TO EST DEATH OF GABRIEL GARCIA

	COUNSEL:
STEVE GARCIA	(PET)...EDWARD B FISCHER
HECTOR GARCIA	(DEC)...

No file to review

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 8:30 DEPT: S5

CASE #: SPRSS05631

CASE NAME: EST OF GWENN RUTH PHILLIPS

HEARING:

Hearing Re: REPORT ON WAIVER OF ACCTING AND PETITION FOR FINAL.

COUNSEL:

SUSAN A SMIDT (PET)...WILLIAM J. BRUNICK
GWENN RUTH PHILLIPS (DEC)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Waiver of Accounting

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED:

1. Court file is missing the I & A. Docket shows it was filed on 8-18-04. Please file supplement including a conformed copy of the I & A so it can be reviewed.
2. Attorney did not submit the Graduated Filing Fee Information Schedule, which is mandatory for all filings under new fee schedule (per CRC 7.552), even if the correct fee amount was paid.
3. Statutory fee compensation appears to contain a typographical error. With the gain in sale, the fee base would be \$215,000 and not \$267,000. Therefore, the correct fee would be \$7300 (and not the requested \$7670.
4. Petitioner waives commission.
5. Attorney requesting reimbursement of \$663.19. OK

RECOMMENDATION:

Need to clear notes 1, 2, & 3. Once approved, set hearing for filing of receipts and final discharge for 11-18-05.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 8:30 DEPT: S5

CASE #: SPRSS05790

CASE NAME: RE NADIA A BRAVO TRUST

HEARING:
Hearing Re: Status Of Settlement.

COUNSEL:
LUIS ROBERTO BRAVO (PET)...SKORETZ & CHURCH
ROSANNA M ACKERSON-BRAVO (PET)...SKORETZ & CHURCH

GENERAL INFORMATION:

This case is set for hearing on Status of Settlement
The parties reached an agreement as to Petition for Order Determining Interest in
Property. Court has signed settlement agreement/order.
This hearing was set on 9-10-04 (date of settlement) for status.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED:

Nothing filed.

RECOMMENDATION:
None

San Bernardino Superior Court

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 8:30 DEPT: S5

CASE #: SPRSS05821
CASE NAME: EST OF THOMAS H ELDER SR

HEARING:

Petition for (AMENDED) TO DETERMINE SUCCESSION TO REAL PROPERTY
COUNSEL:

JOAN R ELMORE	(PET)...RICHARD G ANDERSON
VIRGINIA I DELASKI	(PET)...RICHARD G ANDERSON
MARY L HILD	(PET)...GARY S REDINGER
JOHN A ELDER	(PET)...RICHARD G ANDERSON
HENRY C.W. ELDER	(PET)...RICHARD G ANDERSON
ROBERT W ELDER	(PET)...RICHARD G ANDERSON
GERRY LEE ELDER	(PET)...RICHARD G ANDERSON
MICHAEL J ELDER	(PET)...RICHARD G ANDERSON
THOMAS H ELDER SR	(DEC)...
JOHN A ELDER	(PET)...RICHARD G ANDERSON
PATTY M ELDER	(PET)...RICHARD G ANDERSON
VIRGINIA L ELDER	(PET)...RICHARD G ANDERSON
RUTH DETJEN	(PET)...RICHARD G ANDERSON
MARY JEAN KNIGHT	(PET)...RICHARD G ANDERSON
BARBARA HALOWICH	(PET)...RICHARD G ANDERSON
STEVEN HILD	(PET)...RICHARD G ANDERSON
PAMELA RENO	(PET)...RICHARD G ANDERSON
ROBERT HILD	(PET)...RICHARD G ANDERSON

GENERAL INFORMATION:

This case is set for hearing on Amended Petition to Determine Succession
Prior petition was withdrawn by petitioner (flaw: was not signed by all beneficiaries)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED:

1. 2 of the 9 beneficiaries under the will are now dead (but survived the decedent at issue). The Petition asks that the property of the deceased beneficiaries be given to their children. Need verified supplement to support the proposition that the property should be passed (1) only to the children (no spouse?) and (2) not to the personal representative of the post-deceased children's estate.

RECOMMENDATION:
Need supplement.

San Bernardino Superior Court
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PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 8:30 DEPT: S5

CASE #: SPRSS05857

CASE NAME: ESTATE OF VILA M JENKINS

HEARING:

WAIVER OF FINAL Account and Report of WANDA L JENKINS and
Petition for allowance of fees filed.

COUNSEL:

WANDA L JENKINS	(PET)...DAPHNE MCMILLAN
JAMES C JENKINS	(PET)...DAPHNE MCMILLAN
VILA M JENKINS	(DEC)...

GENERAL INFORMATION:

This case is set for hearing on Waiver of Account

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED:

1. IRS has requested special notice. File proof of service as to IRS.
2. Attorney did not submit the Graduated Filing Fee Information Schedule, which is mandatory for all filings under new fee schedule (per CRC 7.552), even if the correct fee amount was paid.
3. Both beneficiaries waive accounting.
4. Attorney seeking reimbursement of \$739.50. OK
5. Attorney seeking statutory fees of \$5350. OK Attorney requesting lien on real property as the estate is not liquid. OK
6. Petitioners waive commission.

RECOMMENDATION:

Need to clear notes 1 & 2. Once approved, set hearing for filing of receipts and final discharge for 11-8-05.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 8:30 DEPT: S5

CASE #: SPRSS06020

CASE NAME: ESTATE OF ALEJANDRO MORKUNAS

HEARING:
PETITION FOR LETTERS OF ADMINISTRATION W/WA W/FULL AUTHORITY
UNDER IAEA.

COUNSEL:

ROSAMARIA C SOUSA	(PET)...	KATHLEEN B ALBREKTSON
ALEJANDRO MORKUNAS	(DEC)...	
SAMANTHA MORKUNAS	(PET)...	E. JOAN NELMS

GENERAL INFORMATION:

This case is set for hearing on Spousal Property Petition
Continued from 8-27-04 as competing petition filed by objector/daughter (Petition for Letters filed by Samantha Morkunas)
Continued again from 10-8-04 so all parties could meet and confer on the Petitions

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED:

Spousal Property Petition

1. Basis of claim that property is community is that they were married on 1-9-99 and that husband did not bring significant assets into the marriage. Appears husband had prior wife.
2. The first property (Mentone) was purchased in September 1999 in name of husband as his sole and separate property. Wife quitclaimed property in October 1999. Claims that this transaction was structured in this way to facilitate buying and selling. Claims money used for payment was joint. But was this all funds spent on the property?
3. The second property (Yucaipa) was also purchased by husband in sole name. Lists information as to source of down payments.
4. Objection filed by Samantha Morkunas (child of decedent). Claims the properties are separate and not community.

Petition for Letters by Daughter Samantha Morkunas

1. Requesting limited authority. No bondable asset since only asset is real property. Court may wish to impose minimum bond of \$10,000, especially since this may be a contested matter. Also, petitioner is not a resident of State of California.

Petition for Letters by Spouse Rosamaria C. Sousa

1. **No petition filed, just the “Notice of Petition to Administer Estate”.**
Court cannot grant the “petition” by Rosamaria as it does not exist in the Court file.

RECOMMENDATION:

Court to set a hearing on the spousal property petition. If the petition to administer is granted, court should impose minimal bond of \$10,000. Set hearing for filing of Inventory & Appraisal for 5-13-05. Set hearing for filing of status report and/or accounting for 12-23-05. Accountings to be filed 30 days in advance. Note local rules regarding the filing of bank statements.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 8:30 DEPT: S5

CASE #: SPRSS06020

CASE NAME: ESTATE OF ALEJANDRO MORKUNAS

HEARING:

Petition for Letters of Admin. WWA W/ Limited Authority under
IAEA

COUNSEL:

ROSAMARIA C SOUSA	(PET)...	KATHLEEN B ALBREKTSON
ALEJANDRO MORKUNAS	(DEC)...	
SAMANTHA MORKUNAS	(PET)...	E. JOAN NELMS

See prior notes

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 8:30 DEPT: S5

CASE #: SPRSS06020

CASE NAME: ESTATE OF ALEJANDRO MORKUNAS

HEARING:
Spousal Property Petition hearing.

COUNSEL:
ROSAMARIA C SOUSA (PET)...KATHLEEN B ALBREKTSON
ALEJANDRO MORKUNAS (DEC)...
SAMANTHA MORKUNAS (PET)...E. JOAN NELMS

See prior notes

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 8:30 DEPT: S5

CASE #: SPRSS06037

CASE NAME: EST OF LOUISE M ZIEGLER

HEARING:
Petition for FOR SUBSTITUTED JUDGMENT

COUNSEL:
NANCY ZIEGLER (PET)...SCOTT GROSSMAN
LOUISE M ZIEGLER (INC)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Substituted Judgment
Petitioner is the trustee, has durable power of attorney and is only child.
Petitioner does not mention that she is the conservator or that the "incapacitated individual" is under a conservatorship (Louise Ziegler)

Continued from 9-10-04 to clear notes. Nothing filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED:

1. Petition under PC 2580 is for an order authorizing or requiring a **conservator** to take a proposed action. File Ps & As to support the use of this statute when there is no conservatorship.

RECOMMENDATION:

No Ps & As filed to support use of this Probate Code Section in contravention of the stated purpose. Court should therefore deny the petition.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 8:30 DEPT: S5

CASE #: SPRSS06133

CASE NAME: ESTATE OF BETTYE JEANNE HARMON

HEARING:
Petition to determine succession to Real Property

COUNSEL:
RODNEY HARMON (PET)...JOHN M RAGER
AURIE SAVAGE (PET)...JOHN M RAGER
BETTYE JEANNE HARMON (DEC)...

GENERAL INFORMATION:
This case is set for hearing on Petition to Determine Succession

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED:

1. Notice states that "Petition to Determine Succession to Real Property (Estates \$199,000 or Less)". The applicable probate code section allows property only up to \$100,000. This is not an issue in this particular case, as the value of the property is \$70,000.
2. No procedural issues with the petition. The proposed order needs to be corrected to show the addresses of each beneficiary.

RECOMMENDATION:
RFA. Need to submit new proposed order.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 8:30 DEPT: S5

CASE #: SPRSS06134

CASE NAME: MTR OF ROBERT JOHN SIPCHEN SR

HEARING:
PETITION FOR LETTERS OF ADMINISTRATION W/WA W/FULL AUTHORITY
UNDER IAEA.

COUNSEL:

TIMOTHY J SIPCHEN (PET)...MARTIN E KELLER
ROBERT J SIPCHEN JR (PET)...MARTIN E KELLER
ROBERT JOHN SIPCHEN SR (DEC)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Letters of Administration, full authority

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED:

1. Need to file proof of due publication.
2. Need to complete box 6a2 re: domestic partner.
3. Both heirs waive bond.
4. Petition for Special Administration granted ex parte on 10-6-04.
5. Who is Laurie Wright? She is listed on Notice but not mentioned in Petition.
File supplement.

RECOMMENDATION:

Need to correct notes 1, 2 & 5. Once approved, set hearing for filing of the Inventory & Appraisal for 6-10-5. Set the hearing for the accounting and/or status review for 1-20-06. Accountings to be filed 30 days in advance. Note local rules regarding the filing of bank statements.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 8:30 DEPT: S5

CASE #: SPRSS06136

CASE NAME: ESTATE OF VIRGINIA LEE LAMB

HEARING:

Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:

CRYSTAL LAMB	(PET)...AUTON-BECK & NASSAR
VIRGINIA LEE LAMB	(DEC)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Probate of Will, full authority

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED:

1. Need to file proof of due publication.
2. Need to file Notice of Petition to Administer Estate.
3. The "Will" in this case consists of two handwritten documents. The first is dated 1-12-2000. The other is dated Sept. 4, 1903. There are issues as to each document:
 - a. 1-12-2000: The document contains handwriting which is different from that of the decedent. It appears that "Annie B. Dethie" witnessed the will. Will the petitioner be proceeding with this document as a holographic will? If so, file Ps & As re: holographic will if it contains writing of someone other than decedent. Will also need to file Proof of Holographic Will. If petitioner will be proceeding as witnessed will, need to file Ps & As re: formalities if only 1 person witnessed it. Also need to file Proof of Subscribing Witness
 - b. Sept. 4, 1903: There is a question re: date. Also, the document is not signed. File Ps & As to support proposition that this document can be a holographic will if not signed.

- 4 No bond waivers attached. Also, do to the uncertainties as to who will inherit (if the "Wills" are not valid, property will pass by intestate succession) Court will need to make determination prior to accepting waivers of bond. Currently, will need to post bond in the amount of \$220,000.

RECOMMENDATION:

Need to file supplement and clear notes.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 8:30 DEPT: S5

CASE #: SPRSS06137

CASE NAME: EST OF VIRGINIA REYES MORGAN

HEARING:

Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

BARTOLA POSADAS (PET)...SIDNEY W JONES
VIRGINIA REYES MORGAN (DEC)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Letters of Administration, with full authority

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED:

1. Need to file proof of due publication.
2. Need to file Notice of Petition to Administer Estate.
3. No bond waivers filed. Court needs to require bond of \$200,000. Petition requests in the alternative that the proceeds go into blocked account. That is not a reasonable alternative at this time, because the petition is asking for full authority. The real property (only asset of estate) could be sold at any time without court approval, and therefore Court would have difficulty in enforcing blocked account order. If the petitioners have not filed waivers prior to the hearing, another alternative would be to grant only limited powers and require minimum bond of \$10,000. Issue of blocked account request could then be determined when Court approves the sale of the real property.

RECOMMENDATION:

RFA subject to 1-2 and bond of \$220,000. Once approved, set hearing for filing of the Inventory & Appraisal for 6-10-5. Set the hearing for the accounting and/or status review for 1-20-06. Accountings to be filed 30 days in advance. Note local rules regarding the filing of bank statements.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 8:30 DEPT: S5

CASE #: SPRSS06138

CASE NAME: ESTATE OF IOLA L MARTINEZ

HEARING:
PETITION FOR LETTERS OF ADMINISTRATION W/WA W/FULL AUTHORITY
UNDER IAEA.

	COUNSEL:
RUDY MARTINEZ	(PET)...PRO/PER
IOLA L MARTINEZ	(DEC)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Probate of Will, full authority

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED:

1. Need to file proof of due publication.
2. Need to file Notice of Petition to Administer Estate.
3. Will waives bond.
4. Petition indicates total assets of \$12,000. Court may wish to inquire further and determine whether alternatives to probate are possible.

RECOMMENDATION:

RFA subject to 1-2. Once approved, set hearing for filing of the Inventory & Appraisal for 6-10-5. Set the hearing for the accounting and/or status review for 1-20-06. Accountings to be filed 30 days in advance. Note local rules regarding the filing of bank statem

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 8:30 DEPT: S5

CASE #: SPRSS06139

CASE NAME: EST OF WILMA M LARSEN

HEARING:

Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:

GERALD LEE LARSEN (PET)...LARSEN & RISLEY
WILMA M LARSEN (DEC)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Probate of Will, full authority

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED:

1. Need to file proof of due publication.
2. Need to file Notice of Petition to Administer Estate.
3. Will waives bond.
4. Court should remind the petitioner, who is also an attorney, about the provisions of PC 10804 which limits dual compensation.
5. Need Proof of Subscribing Witness filed as to codicil executed in Florida. There is a copy of an affidavit attached, but it is missing the last element of PC 6110(c)(2) – that the witnesses understood that the instrument signed was the testator's will.

RECOMMENDATION:

RFA subject to 1, 2 & 5. Once approved, set hearing for filing of the Inventory & Appraisal for 6-10-5. Set the hearing for the accounting and/or status review for 1-20-06. Accountings to be filed 30 days in advance. Note local rules regarding the filing of bank statements.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 8:30 DEPT: S5

CASE #: SPRSS06140

CASE NAME: ESTATE OF JOSEPH C CONDIT

HEARING:

Petition for Probate, Letters of Tstmntry with full authority
under IAEA.

COUNSEL:

DAVID R CONDIT	(PET)...	WALTER MOORE
JOSEPH C CONDIT	(DEC)...	
KAREN HANSON	(TP)...	JOSEPH M FERRANTE
DARCY COPELAND	(JOSEPH M FERRANTE)...JOSEPH M

GENERAL INFORMATION:

This case is set for hearing on Petition for Probate of LOST will, with Full Authority

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED:

1. Need to file proof of due publication.
2. Need to file Notice of Petition to Administer Estate.
3. Need to file declaration re: lost will (should also overcome presumption that the will was destroyed by testator).
4. New counsel is supposed to be substituting in for the petitioner. Nothing new filed yet
5. Will waives bond. However, petitioner is a non-resident of California so Court may wish to order bond of \$215,000.

RECOMMENDATION:

RFA subject to 1, 2, 3, & determination of bond. Once approved, set hearing for filing of the Inventory & Appraisal for 6-10-5. Set the hearing for the accounting and/or status review for 1-20-06. Accountings to be filed 30 days in advance. Note local rules regarding the filing of bank statements.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 8:30 DEPT: S5

CASE #: SPRSS06141

CASE NAME: VERNON REVOCABLE LIVING TRUST

HEARING:

Petition for BY TRUSTEE AND BENEFICIARY TO DETERMINE EXISTENCE
AND VALIDITY OF TRUST ETC

COUNSEL:

JOHN VERNON (PET)...FULLERTON LEMANN SCHAEFFER & D

GENERAL INFORMATION:

This case is set for hearing on Petition Determining Existence & Validity of Trust

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED:

1. Petitioner requests that The Vernon Revocable Living Trust established 2/23/1994 be determined valid. Prior to their death, the trustors, Doval Vernon and Govia Vernon entered into a trust agreement and transferred subject property to them as trustees on 2/23/1994 meeting the requirements of PC 15200. The trustors died 2/2/1994 and 5/18/2003, respectively.
2. Petitioner requests confirmation of his appointment as successor trustee without bond. Petitioner is an alternate successor trustee and other alternate successor trustees have filed their declinations to act. The trust instrument (under Article 11, Section 11.2) waives the requirements of posting bond of any trustee.
3. Petitioner requests that the real property at 6204 Cooper, Fontana, CA 92335 be determined an asset of the trust under Estate of Heggstad. Petitioner believes the trustor Govia Vernon quitclaimed the property out of the name of the trust for refinancing purposes and failed to record title of the property back into the trust.
4. Petitioner alleges that the real property (item 3) had fallen into severe disrepair and was uninhabitable. After trustors death, petitioner had advanced significant cash of his own to repair, rehabilitate, pay mortgage, property tax & insurance on the property. No other trust beneficiary has

advanced any monies for these expenses after requests by petitioner were made. Petitioner further alleges that he is unable to continue the expenses on the house and requests the property be sold.

5. Petitioner alleges under Article 7, Section 7.4, the successor trustee is to maintain the residence for 15 years following the death of the surviving trustor and the trust beneficiaries are to contribute proportionately to the maintenance. The trust also states that if beneficiaries do not contribute proportionately, then they are not receive any portion of the real property or its net proceeds. The successor trustee has the power of sale under the trust pursuant to Article 12, Section 12.5(r). Petitioner alleges all of the beneficiaries are in agreement with the proposed sale of the property except trust beneficiary, Deborah Vernon Moore.
6. Does petitioner intend to have the proceeds from the sale of the house distributed equally among the trust beneficiaries or will any beneficiary be excluded? Please file verified supplement to explain how proposed distribution of the proceeds will be made.

RECOMMENDATION:

File verified Supplement.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 8:30 DEPT: S5

CASE #: SPRSS06142

CASE NAME: MTR OF CHARLES EDWARD IDE

HEARING:

Petition for Probate, Letters of Tstmntry with full authority
under IAEA.

COUNSEL:

CHARLES EDWARD IDE III (PET)...MCPETERS MCALEARNEY SHIMOFF &
CHARLES EDWARD IDE (DEC)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Probate and for Letters Testamentary w/full
authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Need to file Notice of Petition to Administer Estate and proof of service.
2. Need to file proof of publication
3. Under item 3a(2) the estimated value for filing fee purposes is "at least \$250,000 and less than \$500,000". Under item 4a the estimated value of the estate identified is less than \$250,000. Does item 4a need to be corrected?
4. Need proof of subscribing witness. Will is not self-proving as witnesses attestation is not "under penalty of perjury" (CCP 2015.5)

RECOMMENDATION:

Need to clear notes.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI **CONSERVATORSHIPS**

DATE: 11/12/04 TIME: 10:00 DEPT: S5

CASE #: SC SS02735

CASE NAME: MTR OF KATHRYN DANSIE SIDERS STOKERS

HEARING:
Petition for Appointment of Conservator

COUNSEL:
RUSSELLYN KATHRYN WALL (CPE)...BRUNICK MCELHANEY & BECKETT
KATHRYN DANSIE SIDER STOKES (CEP)...

GENERAL INFORMATION:
This case is set for hearing on Petition for Conservatorship, person and estate, by daughter

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Temporary letters issued on 10/4/04
2. Petitioner requests no bond (petitioner is proposed conservatee and waives bond of the proposed conservator)
3. Need CI report

RECOMMENDATION:
Need CI report

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

ACCOUNTINGS

DATE: 11/12/04 TIME: 10:01 DEPT: S5

CASE #: SC SS01392

CASE NAME: IN THE MATTER OF JAMES P GRANT

HEARING:

1ST CURRENT Account and Report of LAWRENCE DEAN and Petition for allowance of fees filed.

COUNSEL:

JAMES P GRANT	(CTE)...MELVIN L FRIEDLAND
ANNE L CHAVIS	(PET)...C. BRIAN SMITH
LAWRENCE DEAN	(SC)...KARIN HORSPOOL
DEPT OF VETERAN AFFAIRS REGION(TP)...ALAN K ACHEN	

GENERAL INFORMATION:

This case is set for hearing on 1st Account of Lawrence Dean
Accounting period: 6/18/03-6/30/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Need to file Notice of Hearing and proof of service
2. Conservator requests fees of \$11,917.30 for approximately one year of service. Billed for 225.17 hours
 - a. The routine monthly charges are 18.75 hours per months as follows
 - i. On-site assessment, 3 hours
 - ii. Monthly bill paying, deposits and account reconciliation and preparation of month-end reports, 5.75 hours
 - iii. Meet and confer w/inter-disciplinary team client status and update, .5 hour
 - iv. Benefit services – t/c to VA re: status of custodian, .4
 - v. Monthly review of file, .75
 - vi. Review real property inspection report, .5
 - vii. Review of document:client budget/expenses, .45

- viii. The balance of hourly charges are for phone calls, correspondence, document preparation and miscellaneous matters.

Question: the meaning and benefit of inter-disciplinary team to the conservatee. Please file verified Supplement to explain.

- b. Conservator charges for reviewing a burial policy on 3/24/04 but purchased an \$1800 preneed on 3/5/04 through McKenzie Cremation & Burial. As conservatee is entitled to receive VA benefits conservatee may be entitled to burial benefits through the National Cemetery. Please file verified Supplement to explain the overcoverage of burial benefits.
2. Attorney Horspool requesting fees of \$1,554.00. Billed at \$210/hour for 7.4 hours. Itemized. JTD
 3. Conservator seeking fees for Attorney Young (now deceased) in the sum of \$5771 and reimbursement of costs of \$47.60. Fees billed at \$131.61/hour for 43.85 hour. Itemized. JTD
 4. A request is made for a reduction of bond to \$90,000. Ok

RECOMMENDATION:

Need notice and verified Supplement. Once approved, set hearing for next accounting for 11/17/06. Accountings to be filed 30 days in advance.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 10:01 DEPT: S5

CASE #: SC SS02021

CASE NAME: MATTER OF BERTHA R STARK

HEARING:

FINAL Account and Report of WILLIAM H BRUNT and Petition for allowance of fees filed.

COUNSEL:

WILLIAM H BRUNT	(CPE)...JAMES R. GASS
BERTHA R STARK	(CEP)...

GENERAL INFORMATION:

This case is set for hearing on Final Account of William H. Brunt
Conservatee died on 3/31/04
Accounting period: 2/16/04 – 9/30/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Conservator requests no fees for his services.
2. Attorney requests fees in the amount of \$1,935.00. Billed at \$225/hour for 8.6 hours. Itemized. JTD
3. Petition requests the blocked account at Merrill Lynch be unblocked and upon presentation of Affidavits under PC 13100, the conservatee's heirs be allowed to collect said property.

RECOMMENDATION:

RFA. Once approved, set hearing for filing of receipts and final discharge for 11/18/05.
Order modified to reflect need for filing receipts.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 10:01 DEPT: S5

CASE #: SC SS02165

CASE NAME: MTR RE JAMES COOK

HEARING:

FIRST AND FINAL Account and Report of JAMES COOK III and
Petition for allowance of fees filed.

COUNSEL:

JAMES COOK III	(CPE)...MARTIN E KELLER
JAMES COOK	(CEP)...JUDITH LYNN PILSON

GENERAL INFORMATION:

This case is set for hearing on First and Final Account

Conservatee deceased

Accounting Period: 7/23/02 – 5/1/04

Continued from 6-18-04 to clear notes. **Nothing new filed.**

Continued from 8-6-04. **Still nothing new filed.**

Continued from 9/17/04. Still nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED:

1. Account states that no fees are due to CI. CI confirms that no payment received for visit to conservatee on 9-11-03. Fees owing are \$350. (prior probate notes wrong about the \$750 amount). Accounting cannot be approved without payment of fees. File proof of payment. **As of October 22, 2004, fees still not paid.**
2. Asset of the estate was real property, which conservatee tried to sell during the conservatorship. Litigation filed, and still pending. Is this litigation in the estate?
3. Need to file notice of hearing and proof of service. Special notice request by bonding company.
4. Conservator waiving fees.
5. Attorney seeking fees of \$3020. Paralegal 6.6 hours at \$50 per hour. Attorney: 13.45 at \$200 per hour. Itemized. JTD

6. Attorney requesting reimbursement for costs advanced of \$663.60. Itemized.
7. Original bank statements must be filed, per PC 2620. Were any funds kept in a bank or were the pension and Social Security payments sent directly to the facility?

RECOMMENDATION:

Need payment of CI fees before accounting may be approved. Need to clarify status of litigation and whether it was brought by the conservator in that capacity. If so, matter cannot close yet. If brought as representative of estate, then that will not be an issue. Need to file notice of hearing and resolve issue re: bank statements. **Court may wish to consider setting matter for OSC re: Removal, Sanctions & Surcharge and for failure to appear if no appearance is made.**

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 10:01 DEPT: S5

CASE #: SC SS02700

CASE NAME: MTR RE EDDIE C CABANATAN

HEARING:

Petition for SUBSTITUTED JUDGMENT TO CREAT AND FUND A REVOCABLE
TRUST AGREEMENT & EXECUTE A POUR-OVER WILL

COUNSEL:

ANTONIA CABANATAN (CPE)...SKORETZ & CHURCH
EDDIE C CABANATAN (CEP)...DANA M. SMITH

GENERAL INFORMATION:

This case is set for hearing on for Substituted Judgment to Create and Fund a Revocable
Trust Agreement & Execute a Pour-Over Will

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Need to file notice of hearing and proof of service
2. Petitioner requests that she not be required to inventory the assets of the conservatee since conservatee was married and all accounts were in joint tenancy prior to the conservatorship, All of the assets of the conservatee were all community property with his spouse. The proposed assets are itemized in this petition and alleged to be the 'community property' of the conservatee and his spouse. The Court should inquire of petitioner whether the assets can be listed in this manner on the inventory and valued as to a ½ interest?
3. Petitioner requests that a revocable trust and pour-over Will be established. A copy of the proposed Trust Agreement and pour-over Will are attached. The Trust is revocable by the proposed trustee (who is petitioner) at any time in whole or in part. Also the distribution of the Trust only provides a distribution in the event the conservatee Eddie Cabanatan dies first. There is no distribution provision should Antonio Cabanatan die before the conservatee other than if conservatee and Antonio Cabanatan die together the property would go to their surviving children. Court should direct

petitioner that Trust Agreement and pour-over Will be redrafted to consider the alternative deaths. Also, there is no provision in the Trust Agreement that it should remain under the jurisdiction of the Court per Local Rule 1405.

4. The petition alleges that the conservatee would not oppose the proposed action. However, conservatee lacks legal capacity and the Court may consider appointing counsel for the conservatee. It is noted that the Court previously appointed Attorney Dana Smith as counsel for conservatee in initiating these proceedings.

RECOMMENDATION:

Need to clear notes.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI **MISC.**

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SC SS01396

CASE NAME: IN THE MATTER OF GEORGE PETERSEN JR

HEARING:

OSC re: Sanctions For Failure To File Documents

COUNSEL:

GEORGE PETERSEN JR (CEP)...
ANNE L CHAVIS (CPE)...C. BRIAN SMITH
VETERANS ADMIN REG OFFICE (272(TP)...ALAN K ACHEN

GENERAL INFORMATION:

This case is set for hearing on OSC re: Sanctions for failure to file documents

Continued from 9/17/04

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. No receipts or final discharge order filed (Order terminating conservatorship was filed 5/16/03). The balance of assets on hand was cash only in the amount of \$20,433.21 and after payment of conservator's fees of \$2,000 and attorney's fees of \$2,500, the net balance available for distribution would have totaled \$15,933.21.
2. The attorney representing the conservator, C. Brian Smith, has resigned with pending charges effective 5/24/03, through membership status at the State Bar of California
3. Need proof of personal service of Citation on Anne Chavis.
4. It appears mailed notices have only been sent to Attorney C. Brian Smith. Question whether conservator, Anne Chavis, is aware of this hearing.

RECOMMENDATION:

Need proof of personal service on Anne Chavis

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SC SS01877

CASE NAME: MTR OF DARLA SANTOS

HEARING:

THIRD Account and Report of PUBLIC GUARDIAN and Petition for allowance of fees filed.

COUNSEL:

PUBLIC GUARDIAN (CPE)...RALPH K HEKM AN
DARLA RENEE SANTOS (CEP)...LAMB MORRIS & LOBELLO
COUNTY OF RIVERSIDE (PET)...RIVERSIDE DISTRICT ATTORNEY
HIGHLANDS INSURANCE COMPANY (OBJ)...BUSCH BERGER & HACKETT

GENERAL INFORMATION:

This case is set for hearing on 3rd Account of Riverside PG

Continued from 9/17/04 and 8/30/04. Counsel requested further continued to file Supplement. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Requesting determination of right to vote. Conservatee previously disqualified from voting. Based upon the last CI report, there doesn't appear to be any reason to change the order (head trauma from gun shots, dementia). If the PG believes a different order is appropriate, need to provide evidence.
2. Requesting conservator fees of \$3971.81, which includes the bond fee. The fee is based upon the Riverside County regulation setting the PG fees. However, under PC 2623, it is the Court who determines the just and reasonable fee. It does not appear that a high level of service was required in this particular case. Court to consider that this request will put the conservatee into a negative balance, and this does not include the attorney fee request.
3. Attorney requesting fees of \$1080. Itemized.
4. How will the fees be paid? Current property on hand is \$3960.65.

5. The accounting does not reflect the payment of the settlement. Should have received \$7859.86 plus \$838.38 in costs. **Need to file verified supplement to address this issue.**

RECOMMENDATION:

RFA subject to supplement as to notes 4 & 5. Once approved, set hearing for filing of receipts and final discharge for 11/18/05.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SC SS02187

CASE NAME: MTR OF KARLA D. ADAMS-JONES

HEARING:
Accounting Review

COUNSEL:
SHARON K. ADAMS (CPE)...PRO/PER
KARLA D. ADAMS-JONES (CEP)...

GENERAL INFORMATION:

This case is set for hearing on Accounting Review

**Continued from 9/17/04 at request of conservator for additional time to file
accounting as still attempting to locate all assets of conservatorship.
Accounting still not filed**

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. I & A filed, but furnishings are to be appraised by probate referee. Also need bank statements.
2. Accounting still not filed

RECOMMENDATION:

Failure to file the account within the time extended by the Court shall constitute contempt of the authority of the Court as described in Section 1209 of the Code of Civil Procedure (PC 2620.2(b)).

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SC SS02412

CASE NAME: MTR OF JAIME B. AGUILAR

HEARING:
Accounting Review

COUNSEL:
ROSA D. AGUILAR (CPE)...PRO/PER
JAIME B. AGUILAR (CEP)...JUDITH RUNYON

GENERAL INFORMATION:

This case is set for hearing on Accounting Review

Continued from 9/3/04 to allow conservator to comply with prior notes (below)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. No I & A filed. CI report indicates that money has been used to purchase an automobile without court approval and that savings account with conservatee's money reflected only the conservator's name. **The disbursements filed show a truck purchase in the sum of \$17,014.23**
2. **Accounting filed but does not comply PC 1060 et seq. as it only lists disbursements (no receipts or assets on hand listed). Conservatee receives \$1,500 per month as a settlement compensation of a malpractice case. This amount is unaccounted for in the accounting. If accounting were for a period of 14 months, income would total \$21,000.**
3. **The disbursements list house renovation expenses (including furniture, floor tile, garage repairs) totaling \$28,670.34. Yet there are no medical or dental expenses listed. Question whether expenses go beyond the meaning of Probate Code 2457.**

RECOMMENDATION:

Order that I & A and accounting be filed within 30 days. Set OSC re: removal per PC 2620.2. If conservator fails to file the I & A and accounting within the 30 days, the court may remove the conservator

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SC SS02437

CASE NAME: MTR RE FRED W SHEPHERD

HEARING:
Accounting Review

COUNSEL:
VALERIE S KAPKO-ROOTS (CPE)...HARTNELL HORSPOOL & FOX
FRED W SHEPHERD (CEP)...

GENERAL INFORMATION:

This case is set for hearing on Accounting Review

Continued from 9/17/04 at request of counsel. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Need to file accounting

RECOMMENDATION:

Need to file accounting

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SC SS02448

CASE NAME: MTR OF HILDA M. BOND

HEARING:
Accounting Review

COUNSEL:
JENNIFER WENGER (CPE)...JEFFREY T. VANDERVEEN
HILDA M. BOND (CEP)...DUANE P BOOTH

GENERAL INFORMATION:

This case is set for hearing on Accounting Review

Continued from 9/10/04 and 10/8/04 at request of counsel. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. I & A filed, but need to file banks tatements
2. Still no accounting filed

RECOMMENDATION:

Failure to file the account within the time extended by the Court shall constitute contempt of the authority of the Court as described in Section 1209 of the Code of Civil Procedure (PC 2620.2(b)). Court may wish to send notice to bond company.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SC SS02448

CASE NAME: MTR OF HILDA M. BOND

HEARING:

Petition for ATTORNEY FEES UPON ORDER TERMINATING APPOINTMENT AS
COUNSEL AND REQUIRING NO FURTHER SERVICES

COUNSEL:

JENNIFER WENGER (CPE)...JEFFREY T. VANDERVEEN
HILDA M. BOND (CEP)...DUANE P BOOTH

GENERAL INFORMATION:

This case is set for hearing on Petition for Attorneys Fees
Continued from 10/8/04 at request of counsel.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Attorney requests fees of \$3,500 for services rendered at conservatee's court-appointed counsel. Itemized. JTD
2. Attorney Booth requests to be relieved as counsel for conservatee.

RECOMMENDATION:

None.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SC SS02593

CASE NAME: MTR RE LEONARD FREDERICK ROHRBOUCK

HEARING:
Hearing Re: Inventory & Appraisal.

COUNSEL:
LAWRENCE A DEAN II (CPE)...HARTNELL HORSPOOL & FOX
LEONARD FREDERICK ROHRBOUCK (CEP)...DONNASUE SMITH-ORTIZ
LORENE NEWTON (CPE)...ELISABETH KEMPE-OLINGER
W L MCKENZIE (CPE)...ELISABETH KEMPE-OLINGER

No file to review.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SC SS02594

CASE NAME: MTR RE PAULINE PATRICIA ROHRBOUCK

HEARING:
Hearing Re: Inventory & Appraisal.

COUNSEL:
LAWRENCE A DEAN II (CPE)...HARTNELL HORSPOOL & FOX
PAULINE PATRICIA ROHRBOUCK (CEP)...ROGER EDWARD WALKER
LORENE NEWTON (CPE)...ELISABETH KEMPE-OLINGER
W L MCKENZIE (CPE)...ELISABETH KEMPE-OLINGER

GENERAL INFORMATION:
This case is set for hearing on filing Inventory & Appraisal
Continued from 9/24/04 at request of counsel.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. I & A filed but need bank statements

RECOMMENDATION:
File bank statements.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SC SS02612

CASE NAME: MTR OF DELORES C. SANDERS

HEARING:

Hearing Re: Inventory & Appraisal.

COUNSEL:

KARSTON SANDERS (CPE)...CRAIG M PARKER
DELORES C. SANDERS (CEP)...

GENERAL INFORMATION:

This case is set for hearing on filing Inventory & Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Need to file Inventory & Appraisal

RECOMMENDATION:

Court must send written notice to conservator and attorney of record directing that the I & A be filed. Set hearing within 30 days. Any failure to file the I & A will then constitute contempt and punishable as set forth in PC 2614.5.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SC SS02623

CASE NAME: MTR OF ESTHER VELASCO

HEARING:

Hearing Re: Inventory & Appraisal.

COUNSEL:

MARIE L. VELASCO (CPE)...JOHN M RAGER
ESTHER VELASCO (CEP)...
THE CONSERVATORSHIP OF THE PER(PLA)...JOHN M RAGER
CHICAGO TITLE COMPANY (DEF)...
BILL GREEN ()...
PAT GREEN ()...
MARIA TREVINO ()...
GEORGE JOSEPH MUNOZ JR ()...
EDWARD FRANCIS SWAUGER ()...
CALIFORNIA CAPITAL AND REALTY ()...
RICHARD C STRONG ()...

GENERAL INFORMATION:

This case is set for hearing on filing Inventory & Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Need to file Inventory & Appraisal.

RECOMMENDATION:

Court must send written notice to conservator and attorney of record directing that the I & A be filed. Set hearing within 30 days. Any failure to file the I & A will then constitute contempt and punishable as set forth in PC 2514.5.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SPRSS03044

CASE NAME: IN THE ESTATE OF RAYMOND GARCIA

OFF CALENDAR – Accounting filed 10/15/04

HEARING:
OSC re: Suspension of Powers/Sanctions

	COUNSEL:
BARBARA GARCIA	(PET)...DONALD MCKAY
RAYMOND GARCIA	(DEC)...

GENERAL INFORMATION:
This case is set for hearing on OSC re: Suspension of Powers/Sanctions
Continued from 9/17/04
Accounting now filed
Accounting Period: 2/9/01 – 9/30/04

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SPRSS04123

CASE NAME: EST OF WANDA JEAN CLARK

HEARING:
OSC re: Sanctions

COUNSEL:

KATHRYN MARIE CLARK (PET)...GUAY P WILSON
WANDA JEAN CLARK (DEC)...
RICHARD WM STRONG (TP)...RICHARD WILLIAM STRONG
SCOTT A HANCOCK (SNYDER, HANCOCK & ASHWORTH)...SNYDER,

H

GENERAL INFORMATION:

This case is set for hearing on OSC re: Sanctions

Continued from 9/10/04 where Atty Wilson advises he is substituting out of the case and that Attorney Auton-Beck will be taking over this case.

This matter was originally on calendar for an Accounting review continued from 7/16/04.
Counsel advised that he was unable to locate his client (Kathryn Clark, Executor).
Citation issued but was returned and not served.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. No substitution of attorney on file
2. Still no accounting filed

RECOMMENDATION:

Court may consider setting OSC re: Removal/Sanctions. If attorney cannot file client, he may be asked by the Court to present an accounting pursuant to PC 10953.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SPRSS04571

CASE NAME: EST OF NASH E COLLINS

HEARING:
Hearing Re: Inventory & Accounting.

OFF CALENDAR – I & A filed 8/4/04

COUNSEL:
DARLENE B COLLINS (PET)...
NASH E COLLINS (DEC)...
NASH E COLLINS JR (PET)...
ANNETTE G DEBELLEFEUILLE (SPA)...ANNETTE G DE BELLEFEUILLE
WELLS FARGO CARD SERVICES (TP)...

GENERAL INFORMATION:
This case is set for hearing on filing Inventory & Appraisal
Inventory filed

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SPRSS04658

CASE NAME: MTR RE RONNY MEDERO

HEARING:
Accounting Review

	COUNSEL:
IRMA MEDERO	(PET)...MICHELS & WATKINS
RONNY MEDERO	(DEC)...

GENERAL INFORMATION:

This case is set for hearing on Accounting Review

Continued from 10/4/04 at request of counsel to clear prior calendar notes (below):

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Declaration filed by attorney. Estate recovered nothing, and therefore there is a request to dismiss this probate as a no-asset estate.
2. Need to serve Declaration on all beneficiaries. File Proof of Service.

RECOMMENDATION:

Court may dismiss after notice given to beneficiaries. Petitioner will also need to submit order.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SPRSS04784

CASE NAME: MTR OF ANNA ZAFRAN

HEARING:
OSC re: Sanctions

COUNSEL:
JOSHUA H. GORTLER (PET)...RODI, POLLOCK, PETTKER, GALBRA
ANNA ZAFRAN (DEC)...

GENERAL INFORMATION:
This case is set for hearing on OSC re: Sanctions
Continued from 9/17/04 for notice to be served

This case originally set re: Final Discharge. Order for Final Distribution was filed 7/18/03. The assets subject to distribution consisted of undivided interests in various real properties in San Bernardino and Riverside Counties with a carry value of \$289,500. The sole beneficiary of the estate was a charity, The Kline Galland Center. It is unknown whether a certified copy of the Order for Final Discharge was recorded transferring the subject real properties without filing receipts under PC 11753.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Still no receipts (per PC 11753) or final discharge

RECOMMENDATION:
Set OSC re: Failure to File Documents & Sanctions, have citation issued and personally served on executor, Joshua Gortler

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SPRSS05316

CASE NAME: ESTATE OF LORRAINE H URBAUER

HEARING:
OSC re: Sanctions For Failure To File Accounting

COUNSEL:
CHARLES H URBAUER (PET)...JOHN C MADDUX
LORRAINE H URBAUER (DEC)...

GENERAL INFORMATION:
This case is set for hearing on OCS re: Sanctions for failure to file accounting
Continued from 9/17/04 to have citation issued and served.

This matter was originally set for an Accounting Review continued from 7/16/04. **Nothing new has been filed.**

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Need proof of personal service on Citation.
2. Still no accounting filed

RECOMMENDATION:
Suspend powers and set OSC re: Removal. Issue citation and have it personally served.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SPRSS05337

CASE NAME: EST OF NEVILLE RONALD DAVIS SR

HEARING:
Accounting Review

COUNSEL:
DENISE D DAVIS (PET)...HARRY J HISTEN
NEVILLE RONALD DAVIS SR (DEC)...

GENERAL INFORMATION:

This case is set for hearing on Accounting Review.

Continued from 8/6/04. Counsel advises Court he is unable to locate his client and will file a final report to the Court. Nothing new filed

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Need to file final report by attorney

RECOMMENDATION:

Court may wish to set OSC re: Removal/Sactions..

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SPRSS05406

CASE NAME: EST OF JACK A ROESCH

HEARING:
Accounting Review

COUNSEL:
CHERYL ROESCH PATCHEN (PET)...ROBERT V. FULLERTON
JACK A ROESCH (DEC)...

GENERAL INFORMATION:
This case is set for hearing on Accounting Review
Continued from 9/17/04 at request of counsel

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Still need to file accounting

RECOMMENDATION:
Court may wish to consider setting OSC re: Removal/Sactions.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SPRSS05415

CASE NAME: ESTATE OF MARILYN E. TURNER

HEARING:
Accounting Review

COUNSEL:
DRUSCILLA L. TURNER (PET)...PASQUALE P CAIAZZA
MARILYN E. TURNER (DEC)...

GENERAL INFORMATION:
This case is set for hearing on Accounting Review
Continued from 9/17/04 at request of counsel

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Still need to file accounting

RECOMMENDATION:
Court may consider setting OSC re: Removal/Sactions..

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SPRSS05746

CASE NAME: EST OF BARBARA A STEWART

HEARING:
Hearing Re: Inventory & Appraisal.

COUNSEL:
PAMELA A ROBINSON (PET)...SKORETZ & CHURCH
BARBARA A STEWART (DEC)...
ARGENT MORTGAGE COMPANY (TP)...MARY JEAN PEDNEAU

GENERAL INFORMATION:
This case is set for hearing on filing Inventory & Appraisal
Continued from 8/3/04 at request of counsel

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Still need to file Inventory & Appraisal. This matter has a related matter set for 12/9/04 on a Petition to Determine Interests in Property filed by the Administrator.

RECOMMENDATION:
Continue matter to 12/9/04

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SPRSS05812

CASE NAME: ESTATE OF ROBERT D. GONZALES

HEARING:

Hearing Re: Inventory & Appraisal.

COUNSEL:

MICHAEL A. GONZALES	(PET)...	E. JOAN NELMS
ROBERT D. GONZALES	(DEC)...	
HEIR BUYOUT COMPANY	(TP)...	PRO/PER
BARBARA A CORRAL	(MCCLELLAN & WILSON)...MCCLELLAN

GENERAL INFORMATION:

This case is set for hearing on filing Inventory & Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. I & A Partial No. 2 is filed (showing vehicle value of \$1500) but file does not show Partial No. 1?
2. Will there be a final I & A filed?

RECOMMENDATION:

None.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SPRSS05832

CASE NAME: EST OF GWEN I ASHLEY

HEARING:

Hearing Re: Inventory & Appraisal.

COUNSEL:

GREG T HANSEN	(PET)...	BRIAN W. SMETHURST
GWEN I ASHLEY	(DEC)...	

GENERAL INFORMATION:

This case is set for hearing on filing Inventory & Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Need to file I & A

RECOMMENDATION:

Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SPRSS05835

OFF CALENDAR – Inventory & Appraisal filed 7/12/04

CASE NAME: EST OF JULIA JANET BUNN

HEARING:
Hearing Re: Inventory & Appraisal.

COUNSEL:
CHARLES D TURNER (PET)...PECCORINI & PECCORINI
JULIA JANET BUNN (DEC)...

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SPRSS05836

OFF CALENDAR – Inventory & Appraisal filed

CASE NAME: ESTATE OF PATRICIA D MARTIN

HEARING:
Hearing Re: Inventory & Appraisal.

AMY MARTIN	COUNSEL:
PATRICIA D MARTIN	(PET)...GEORGE S THEIOS
	(DEC)...

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SPRSS05840

CASE NAME: EST OF TRINNA NERI

HEARING:
Hearing Re: Inventory & Appraisal.

	COUNSEL:
DAVID NERI	(PET)...BRIAN W. SMETHURST
TRINNA NERI	(DEC)...

GENERAL INFORMATION:
This case is set for hearing on filing Inventory & Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Need to file I & A

RECOMMENDATION:
Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SPRSS05841

OFF CALENDAR – Inventory & Appraisal filed

CASE NAME: ESTATE OF FAYE BAILEY

HEARING:
Hearing Re: Inventory & Appraisal.

DALE H. BAILEY	COUNSEL:
FAYE BAILEY	(PET)...MIRAU EDWARDS CANNON HARTER & (DEC)...

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SPRSS05842

CASE NAME: EST OF MABEL MOLLEEN COWAN

HEARING:
Hearing Re: Inventory & Appraisal.

COUNSEL:
ELIZABETH JOYCE SHARROCK (PET)...BRUNICK, MCELHANEY & BECKETT
JONATHAN ANDREW SHARROCK (PET)...BRUNICK, MCELHANEY & BECKETT
MABEL MOLLEEN COWAN (DEC)...

GENERAL INFORMATION:
This case is set for hearing on filing Inventory & Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Need to file Inventory & Appraisal

RECOMMENDATION:
Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SPRSS05843

CASE NAME: EST OF ANDREW SCOTT GLASER

HEARING:
Hearing Re: Inventory & Appraisal.

COUNSEL:
GARETH E GLASER (PET)...PRO/PER
ANDREW SCOTT GLASER (DEC)...

No file to review.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SPRSS05844

CASE NAME: ESTATE OF HELEN IDA LIVELY

HEARING:

Hearing Re: Inventory & Appraisal.

COUNSEL:

THOMAS W LIVELY	(PET)...	JUDITH LYNN PILSON
HELEN IDA LIVELY	(DEC)...	

GENERAL INFORMATION:

This case is set for hearing on filing Inventory & Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Need to file Inventory & Appraisal

RECOMMENDATION:

Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 11:00 DEPT: S5

CASE #: SPRSS05846

CASE NAME: EST OF ESTHER EMMY SLAYBAUGH

HEARING:
Hearing Re: Inventory & Appraisal.

COUNSEL:

RONALD PITMAN	(PET)...	ELISABETH KEMPE-OLINGER
ESTHER EMMY SLAYBAUGH	(DEC)...	
LEE G SLAYBOUGH	(TP)...	SNYDER, HANCOCK & ASHWORTH
LOIS G PHILLIPS	(SNYDER, HANCOCK & ASHWORTH)...	SNYDER, H
SCOTT A HANCOCK	(SNYDER & HANCOCK)...	SNYDER &
LEONARD R WILLIAMS	(SNYDER & HANCOCK)...	SNYDER &

No file to review.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 1:30 DEPT: S5

CASE #: SC SS02433

CASE NAME: MTR RE GERALDINE JONES

HEARING:
Accounting Review

	COUNSEL:
LOUISE COLLINS	(CPE)...PRO/PER
GERALDINE JONES	(CEP)...DUANE P BOOTH
BRYAN E. RANSOM	(OBJ)...PRO/PER

GENERAL INFORMATION:
This case is set for hearing on Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Need to file Accounting

RECOMMENDATION:
Court must send written notice to conservator and attorney of record directing that the account be filed. Set hearing within 60 days. Any failure to file the account will then constitute contempt and punishable as set forth in PC 2620.2

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 1:30 DEPT: S5

CASE #: SC SS02460

CASE NAME: MATTER OF ERIC G DANIEL

HEARING:
Accounting Review

	COUNSEL:
SARA DANIEL	(CPE)...SKORETZ & CHURCH
ERIC G DANIEL	(CEP)...WALTER MOORE

GENERAL INFORMATION:
This case is set for hearing on Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Need to file Accounting

RECOMMENDATION:
Court must send written notice to conservator and attorney of record directing that the account be filed. Set hearing within 60 days. Any failure to file the account will then constitute contempt and punishable as set forth in PC 2620.2

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 1:30 DEPT: S5

CASE #: SC SS02461

CASE NAME: MTR SHAWNA L ABRAMS

HEARING:
Accounting Review

COUNSEL:
SHELLY A ABRAMS (CP)...HARTNELL HORSPOOL & FOX
SHAWNA L ABRAMS (CTP)...

GENERAL INFORMATION:
This case is set for hearing on Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Need to file Accounting

RECOMMENDATION:
Court must send written notice to conservator and attorney of record directing that the account be filed. Set hearing within 60 days. Any failure to file the account will then constitute contempt and punishable as set forth in PC 2620.2

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 1:30 DEPT: S5

CASE #: SPRSS04481

CASE NAME: MTTR OF THE HEIN & FRENCH REVOCABLE TRUST

HEARING:
Accounting Review

COUNSEL:
RUTH L HENRICKS (TEE)...HARTNELL HORSPOOL & FOX

GENERAL INFORMATION:

This case is set for hearing on Accounting Review (3rd Account)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Need to file Accounting

RECOMMENDATION:

Court must send written notice to conservator and attorney of record directing that the account be filed. Set hearing within 60 days. Any failure to file the account will then constitute contempt and punishable as set forth in PC 2620.2

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 1:30 DEPT: S5

CASE #: SPRSS04812

CASE NAME: ESTATE OF ROBERT G MINERICH

HEARING:
Hearing re Final Discharge

COUNSEL:
ROBERT G MINERICH (DEC)...
ROBERT J MINERICH (PET)...H CLAY REAVIS

GENERAL INFORMATION:
This case is set for hearing re: Final Discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Need to file receipt & Final Discharge. (The executor is sole beneficiary of estate and received an interest in real property and various securities). A receipt pursuant to PC 11753 should be filed.

RECOMMENDATION:
Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 1:30 DEPT: S5

CASE #: SPRSS04938

CASE NAME: MTR OF ELVA BODIL THOMSEN

HEARING:
Hearing re Final Discharge

COUNSEL:
CARL TORBEN THOMSEN (PET)...PRO/PER
ELVA BODIL THOMSEN (DEC)...

GENERAL INFORMATION:
This case is set for hearing re: Final Discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Need to file receipts & Final Discharge

RECOMMENDATION:
Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE RETIRED JUDGE FRANK GAFKOWSKI

DATE: 11/12/04 TIME: 1:30 DEPT: S5

CASE #: SPRSS05179

CASE NAME: ESTATE OF REBA JEWELL SHELBY

HEARING:
Accounting Review

COUNSEL:
STEVEN FENNELL (PET)...GUAY P WILSON
REBA JEWELL SHELBY (DEC)...

GENERAL INFORMATION:

This case is set for hearing on Accounting Review. **Final Report w/o Account approved and granted by the Court on 9/11/03**

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Note: No review date appears to have been previously set on filing receipts & Final Discharge

RECOMMENDATION:

Set review date on filing receipts & Final Discharge for 60 days.